

Exhibit 10

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

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STEPHEN M. WILSON, et al.,

Plaintiffs,

against 07 Civ. 6176(LTS)

IMAGESAT INTERNATIONAL N.V.,

et al.,

Defendants.

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HAIM YIFRAH

New York, New York

Wednesday, February 27, 2008

Reported by: Steven Neil Cohen, RPR

<p>1 Yifrah 2 going to buy. 3 You have to remember that the 4 company started when there was no satellite. 5 You had nothing to show. 6 I was the only one that managed to 7 convince the Ministry of Defense to give me 8 an image of Ofeq's military satellite, give 9 it to me with the promise that I will use it 10 discretely to whoever was a potential 11 customer and bring it back, and I did. 12 Q. Okay. Excuse me one second. 13 I want to talk to you a little bit 14 about the time that you were working for the 15 Israeli defense forces and your last job, I 16 believe, you said you were responsible for 17 work related -- let me finish the 18 question -- to the Ofeq military satellite; 19 is that correct? 20 A. No. My last job was chief 21 intelligence officer responsible for all 22 systems of the military intelligence 23 including the operation of Ofeq military 24 satellite. 25 Q. Fair enough.</p>	<p>1 Yifrah 2 would be classified information? 3 MR. MATETSKY: Objection to the 4 form of the question. 5 It is being argumentative. 6 THE WITNESS: You know, in the 7 spy -- intelligence business some of the 8 events are not what they appear to be. 9 Sometimes a person would declare 10 openly that he is selling images to 11 somebody just to put pressure on another 12 one. 13 I don't know if it was classified 14 or not. I was not part of it. 15 BY MS. KOLATCH: 16 Q. Would you be surprised to learn 17 that it was classified? 18 A. Yes. I think I guess it would be 19 classified but I believe that in some cases 20 it was in the benefit of whoever, of one 21 person or another, to declare it openly. 22 Q. If it was -- if the Israeli 23 government or military thought it was in 24 their benefit to disclose it they might; 25 correct?</p>
<p>1 Yifrah 2 In that role did you have access 3 to information, I am not asking you what the 4 information is, I am just asking if you had 5 access to information regarding whether or 6 not either the Israeli army or the Israeli 7 government was selling or providing 8 satellite photos to other countries. 9 A. No. 10 Q. You didn't have access to that 11 information? 12 A. It was not part of my work. 13 Q. Okay. 14 And so that do you know who would 15 have access to that information? 16 A. Chief of the Mossad. 17 Q. Is that the sort of information 18 that would be classified by Israel? 19 A. I have no idea. 20 Q. Really? 21 You were in the Israeli army for 22 35 years, you were chief of intelligence. 23 Is it your testimony that you 24 don't know whether or not whether Israel was 25 selling satellite photos to other countries</p>	<p>1 Yifrah 2 A. Yes. 3 Q. If they thought it was a threat to 4 national security to disclose it or it 5 wasn't in the best interests of the company 6 it would be kept classified; is that 7 correct? 8 A. Yes. 9 Q. If something is kept classified is 10 it then against the law to disclose that 11 classified information? 12 A. I believe it is. 13 Q. Would it also be correct that if 14 someone violates that law and discloses 15 classified information they could 16 potentially go to jail? 17 MR. MATETSKY: Objection. 18 THE WITNESS: I believe it is. 19 BY MS. KOLATCH: 20 Q. When you retired from the IDF you 21 went directly to ImageSat? 22 A. No. I was looking desperately for 23 a job. 24 Q. Okay. 25 A. I was on vacation for seven months</p>

<p style="text-align: right;">Page 58</p> <p>1 Yifrah</p> <p>2 A. No.</p> <p>3 Q. When you said he gave you the</p> <p>4 approval to negotiate, what does that mean?</p> <p>5 A. To start to meet with people that</p> <p>6 can -- we did not meet face-to-face with the</p> <p>7 clients. A-go between.</p> <p>8 I know that IAI made business with</p> <p>9 Morocco. The person that assisted IAI to do</p> <p>10 business in Morocco came to us, to ImageSat,</p> <p>11 and said, I can assist you, do business in</p> <p>12 Morocco.</p> <p>13 Q. Did you need the approval of the</p> <p>14 IMOD before you could even negotiate to sell</p> <p>15 Israeli technology, even negotiate to sell</p> <p>16 Israeli technology to Morocco?</p> <p>17 A. For sure.</p> <p>18 Q. When you get the approval to</p> <p>19 negotiate, that is not the actual approval</p> <p>20 to then sell the technology, is it?</p> <p>21 A. Sure.</p> <p>22 Q. Would it also be true that you</p> <p>23 would need the approval to negotiate to sell</p> <p>24 the Israeli technology regardless of where</p> <p>25 ImageSat was physically located as a</p>	<p style="text-align: right;">Page 60</p> <p>1 Yifrah</p> <p>2 technology?</p> <p>3 A. Yes.</p> <p>4 Q. Isn't it --</p> <p>5 A. Can I please make one remark?</p> <p>6 ImageSat was not selling Israeli</p> <p>7 technology. Israeli was selling satellite</p> <p>8 products.</p> <p>9 Q. Isn't it true that in order to</p> <p>10 sell the satellite products, you needed --</p> <p>11 satellite products from the Israeli</p> <p>12 technology, you needed the approval of the</p> <p>13 IMOD even to negotiate to sell those</p> <p>14 products?</p> <p>15 MR. MATETSKY: Objection to the</p> <p>16 form.</p> <p>17 THE WITNESS: No doubt.</p> <p>18 BY MS. KOLATCH:</p> <p>19 Q. Isn't it also true, sir, that</p> <p>20 you -- the law requires you to have a</p> <p>21 written license to negotiate before you can</p> <p>22 even begin that process?</p> <p>23 A. No.</p> <p>24 Q. It is your testimony that a verbal</p> <p>25 approval is sufficient?</p>
<p style="text-align: right;">Page 59</p> <p>1 Yifrah</p> <p>2 company?</p> <p>3 A. Yes.</p> <p>4 Q. If ImageSat was headquartered in</p> <p>5 Cypress, if you were selling Israeli</p> <p>6 technology you would still need the approval</p> <p>7 of the IMOD even to negotiate to sell that</p> <p>8 technology to another country; is that</p> <p>9 correct?</p> <p>10 A. No.</p> <p>11 Q. So if the country was -- if the</p> <p>12 company was located elsewhere but was</p> <p>13 selling Israeli technology it is your</p> <p>14 testimony you wouldn't need the approval of</p> <p>15 the IMOD?</p> <p>16 A. The question is, could I speak to</p> <p>17 a go-between and give him some idea about</p> <p>18 the program and get some response?</p> <p>19 Q. That wasn't my question actually.</p> <p>20 My question was --</p> <p>21 A. Negotiate, yes, you are right.</p> <p>22 Q. So regardless of where ImageSat</p> <p>23 was located, if you wanted to sell Israeli</p> <p>24 technology you needed the approval of the</p> <p>25 IMOD to even negotiate to sell that</p>	<p style="text-align: right;">Page 61</p> <p>1 Yifrah</p> <p>2 A. Yes.</p> <p>3 Q. Did you have any written licenses</p> <p>4 to negotiate with any country for the sale</p> <p>5 of any satellite products from the Israeli</p> <p>6 technology?</p> <p>7 MR. MATETSKY: I don't see how we</p> <p>8 are even close to --</p> <p>9 MS. KOLATCH: I will connect it</p> <p>10 up.</p> <p>11 Go ahead.</p> <p>12 THE WITNESS: Everything was done</p> <p>13 after consulting with the Ministry of</p> <p>14 Defense, the person in authority, and</p> <p>15 when he said, go ahead, but do not sign</p> <p>16 anything, we went ahead and we did not</p> <p>17 sign anything.</p> <p>18 In fact, we did not sign anything</p> <p>19 so far.</p> <p>20 BY MS. KOLATCH:</p> <p>21 Q. That wasn't my question.</p> <p>22 A. "We" means ImageSat.</p> <p>23 Q. That wasn't my question.</p> <p>24 My question was: Did you have any</p> <p>25 written licenses to negotiate with any</p>

<p style="text-align: right;">Page 70</p> <p>1 Yifrah 2 A. I will make a general remark. 3 Q. Sir, I am going ask you, sir, I am 4 going to ask you to answer my question. I 5 am asking just about Sibat. 6 MR. MATETSKY: He is going to 7 respond to the question. 8 THE WITNESS: I know all of the 9 Ministry of Defense department. I know 10 their heads.</p> <p>11 BY MS. KOLATCH: 12 Q. Okay. 13 A. Whatever contact I had with them 14 was outside of the rules of the games which 15 required IAI to do the job, not ImageSat and 16 not me. 17 Q. That wasn't my question. 18 My question was: Are you familiar 19 with an agency called Sibat? 20 A. For sure. 21 Q. Can you tell me what that agency 22 is? 23 A. I believe they are promoting arms 24 and sales of the Ministry of Defense outside 25 of Israel.</p>	<p style="text-align: right;">Page 72</p> <p>1 Yifrah 2 A. India. 3 Q. Do you have that letter? 4 A. Yes. Not here. 5 Q. Where is it? 6 A. At home. 7 Q. You personally kept that letter? 8 A. Because it was given to me by 9 Yossi Ben-Hanan and it was important for me 10 to -- 11 Q. Go ahead. 12 A. It was important for me to show 13 that I have capabilities that are beyond 14 regular people who claim to have contact 15 with the Ministry of Defense, and I kept it 16 in case I need to use it for -- 17 Q. Why did you need to go to the IMOD 18 in connection with India? 19 MR. MATETSKY: Objection to form. 20 THE WITNESS: Some of the 21 customers requested to have some 22 guarantee not only from ImageSat that 23 the service will not be discontinued. 24 They needed some assurance from 25 the Government of Israel that there will</p>
<p style="text-align: right;">Page 71</p> <p>1 Yifrah 2 Q. Did you have any contact with 3 Sibat as part of your work at ImageSat? 4 A. As an additional part of my work. 5 It was not my work. 6 Q. While you were at ImageSat did you 7 have contact with Sibat? 8 A. I could have asked IAI to go and 9 get a paper or another. 10 I knew I will wait for seven years 11 to get it or I will never get it. 12 So I did it myself. I went to the 13 head of Sibat, General Yossi Ben-Hanan, who 14 is a friend. I asked him to formulate a 15 letter requested by the India customer and 16 they gave me the letter. 17 Q. What did the letter say? 18 A. That Government of Israel, 19 Ministry of Defense, supports the effort of 20 ImageSat to promote the EROS satellite and 21 will do everything in its capability to 22 ensure continuation of service. 23 Q. Service to what? 24 A. To that client. 25 Q. That client?</p>	<p style="text-align: right;">Page 73</p> <p>1 Yifrah 2 not be a reversal of policy and they 3 will be left with nothing. 4 Q. Were any countries other than 5 India, did any countries other than India 6 request that? 7 A. I believe that Venezuela requested 8 similar one. 9 Q. Did you get a letter from 10 Venezuela? 11 A. I was not asked to go there. 12 Shimon Eckhaus took care of that. 13 Q. Did you ever see a letter with 14 regard to Venezuela? 15 A. I believe I could do more than 16 Shimon Eckhaus in every field including that 17 field. 18 Q. Did you ever see a letter with 19 regard to Venezuela? 20 A. I don't think so. I don't think 21 he requested it and I am sure he would never 22 get it. 23 Q. Sir, I am going to ask you to take 24 a look at paragraph -- you have copy of the 25 complaint in front of you.</p>

<p style="text-align: right;">Page 78</p> <p>1 Yifrah 2 First, let me ask you, did you get 3 a similar letter with regard to countries 4 other than India? 5 A. I believe that we were negotiating 6 with Angola, they mentioned their wish to 7 have a similar letter and I told them I 8 believe I can get it. 9 Q. Did you get it? 10 A. I did not ask for it. 11 Q. What about with any other country? 12 A. Taiwan requested similar letter 13 and I believe they got an oral similar 14 declaration. 15 Q. So let's go back to this sentence. 16 Is this accurate, "Upon Yifrah's 17 further request the IMOD agreed to provide 18 similar written assurances to other 19 prospective SOP customers and did so on a 20 number of occasions." 21 Did, in fact, based on your 22 request, they gave -- the IMOD gave similar 23 written assurance to other SOP customers? 24 A. They agreed in principle to 25 provide them whenever it was requested and I</p>	<p style="text-align: right;">Page 80</p> <p>1 Yifrah 2 and the regulations imposed by the IMOD? 3 A. For sure. 4 Q. Let me continue. 5 "The fundamentals of the policy 6 regime under which the company was to be 7 operated took more than four years to put in 8 place eventually requiring the negotiation 9 of a formal bilateral policy agreement 10 between Israel and the United States." 11 First, let me ask you, were you at 12 ImageSat during this four-year negotiation 13 regarding the fundamentals of the policy 14 regime of ImageSat? 15 A. No. 16 Q. And are you familiar with this 17 formal bilateral policy agreement between 18 Israel and the United States? 19 A. I was part of it but I am not 20 familiar with it. 21 Q. When you say "you were part of 22 it," what do you mean? 23 A. That means at the time the IMOD 24 was negotiating with the American government 25 about a space policy, they took me along as</p>
<p style="text-align: right;">Page 79</p> <p>1 Yifrah 2 believe they did. 3 They were not requested to do so. 4 Q. Okay. 5 Then this statement -- all right. 6 Can you tell me who gave the oral 7 assurance with regard to Taiwan? 8 A. I don't remember. 9 Q. Did they give it through you? 10 Were you the person -- 11 A. Yes. Patrick Rosenbaum -- I went 12 along with him to many of the SOP marketing 13 activities -- had the habit to declare to 14 the client that General Yifrah is personally 15 responsible for the implementation of your 16 program and I can vouch for him that he will 17 get whatever. 18 He would say that and I had to 19 fulfill the request whenever it was put. 20 Many times I would say, I am 21 responsible that program will be implemented 22 as in the contract. 23 That would be enough. 24 Q. At the end of the day you were 25 still subject to whatever the limitations</p>	<p style="text-align: right;">Page 81</p> <p>1 Yifrah 2 the military representative and I sat there 3 and listened. 4 I had nothing to say and I do not 5 know what was the conclusion of the protocol 6 required that there will be a military 7 intelligence officer present and I was the 8 one. 9 Q. Did you ever see the formal 10 bilateral policy agreement between Israel 11 and the United States? 12 A. No. 13 Q. Can you tell us what the formal -- 14 what the formal bilateral policy agreement 15 says? 16 A. I don't know. 17 Q. Do you know how we can obtain a 18 copy of this bilateral policy agreement? 19 A. I believe in the internet you can 20 find it. 21 Q. You think it is online? 22 A. I have no idea. I have never -- 23 it was no interest of me to find out what 24 the Government of Israel has agreed with the 25 government of the USA.</p>